

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

UNITED STATES OF AMERICA	)	
	)	
v.	)	NO. 2:05-CR-75
	)	
MICHAEL CHARLES GUNTER	)	

**ORDER**

This criminal matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated May 23, 2006, [Doc. 347], and the Report and Recommendation/ and Order of the United States Magistrate Judge dated May 23, 2006, [Doc. 348], both of which address separate motions to dismiss the superseding indictment filed by the defendant on the basis of alleged Constitutional and procedural insufficiencies. [Docs. 314 and 315]. The defendant has filed objections and an appeal. [Doc. 360].

After careful consideration of the Reports and Recommendations of the United States Magistrate Judge, [Docs. 347 and 348], and the objections of the defendant, it is hereby **ORDERED** that the Reports and Recommendations are **ADOPTED** and **APPROVED**, and that the defendant's motions to

dismiss are **DENIED**. [Doc. 316 and 317].

The appeal of the defendant in regard to the order denying the defendant's motion to compel discovery of the grand jury transcripts, or for *in camera* review of those transcripts, is **DENIED**, [Doc. 360], because the Court **FINDS** that the Magistrate Judge's order is not clearly erroneous, an abuse of discretion, or contrary to law. Accordingly, it is hereby **ORDERED** that the Magistrate Judge's order is **ADOPTED** and **AFFIRMED**. [Doc. 348].

ENTER:

s/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE